

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAMES ROSE, INDIVIDUALLY) Case No.11-CV-3701-DMG (MRWx)
AND ON BEHALF OF ALL)
OTHERS SIMILARLY SITUATED,) **ORDER FOR DISTRIBUTION OF**
Plaintiffs,) **CLASS SETTLEMENT FUNDS**
vs.) [108]
DEER CONSUMER PRODUCTS,)
INC., YING HE, YUEHUA XIA,)
ZONGSHU NIE, EDWARD HUA,)
ARNOLD STALOFF, QI HUA XU,)
YONGMEI WANG, MAN WAI)
JAMES CHIU, AND WALTER)
ZHAO)
Defendants.)

1 On July 23, 2014, Lead Plaintiff filed a Motion for Distribution of Class
2 Settlement Funds, and noticed it for hearing on August 29, 2014. No opposition
3 has been filed and the time to do so has passed. The Court finds that this Motion is
4 appropriate for decision without oral argument. *See* Fed. R. Civ. P. 78(b); C.D. L.
5 R. 7-15. The August 29, 2014 hearing is therefore VACATED.

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7 Good cause having been shown, IT IS HEREBY ORDERED THAT:

8 1. The Court-appointed Claims Administrator, Strategic Claims Services
9 ("SCS"), shall be paid \$23,986.83 from the Settlement Fund for unpaid fees and
10 expenses incurred for services rendered and to be rendered in connection with the
11 administration of the Settlement as detailed in Exhibit H to the Affidavit of Paul
12 Mulholland Concerning The Results of the Claims Administration Process
13 ("Mulholland Affidavit").

14 2. The funds that are currently in the Net Settlement Fund (less any
15 necessary amounts to be withheld for payment of potential tax liabilities and
16 related fees and expenses) shall be distributed on a pro rata basis to the Authorized
17 Claimants identified in Exhibit B-1 to the Mulholland Affidavit, at the direction of
18 Lead Plaintiff's Counsel, The Rosen Law Firm P.A., pursuant to the Stipulation of
19 Settlement filed on December 21, 2012 (the "Stipulation") and the Plan of
20 Allocation set forth in the Notice of Pendency and Proposed Settlement of Class
21 Action that was distributed pursuant to this Court's prior Order.

22 3. Any person asserting any rejected or subsequently filed claims are
23 finally and forever barred from the date of this Order.

24 4. The Court finds that the administration of the Settlement and proposed
25 distribution of the Net Settlement Fund comply with the terms of the Stipulation
26 and the Plan of Allocation and that all persons involved in the review, verification,
27 calculation, tabulation, or any other aspect of the processing of the claims

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1 submitted herein, or otherwise involved in the administration or taxation of the
2 Settlement Fund or the Net Settlement Fund are released and discharged from any
3 and all claims arising out of such involvement, and all Class Members are barred
4 from making any further claims against the Net Settlement Fund or the Released
5 Parties beyond the amount allocated to them pursuant to this Order.

6 5. The checks for distribution to Authorized Claimants shall bear the
7 notation “CASH PROMPTLY, VOID AND SUBJECT TO RE-DISTRIBUTION 1
8 YEAR AFTER DISTRIBUTION DATE.” Lead Counsel and court-appointed
9 Claims Administrator, SCS, are authorized to locate and/or contact any Authorized
10 Claimant who has not cashed his, her or its check within said time.

11 6. Pursuant to Paragraph D.14 of the Stipulation, if there are any
12 remaining funds in the Net Settlement Fund one (1) year after the initial
13 distribution of the Net Settlement Fund by reason of un-cashed distributions or
14 otherwise, and after the Claims Administrator has made reasonable and diligent
15 efforts to have Class Members who are entitled to participate in the distribution of
16 the Net Settlement Fund cash their distribution, any balance remaining in the Net
17 Settlement Fund shall be redistributed and any remaining funds six (6) months
18 after such redistribution shall be contributed to the Legal Aid Foundation of Los
19 Angeles or any not-for profit successor of it.

20 7. SCS is hereby authorized to discard paper or hard copies of Proofs of
21 Claims and supporting documents not less than one (1) year after all distributions
22 of the Net Settlement Fund to the eligible claimants, and electronic copies of the
23 same not less than three (3) years after all distributions of the Net Settlement Fund
24 to the eligible claimants.

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1 8. This Court retains jurisdiction over any further application or matter
2 which may arise in connection with this action

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4 **IT IS SO ORDERED.**

5 DATED: August 13, 2014

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DOLLY M. GEE

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9 UNITED STATES DISTRICT JUDGE

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11 CC: Fiscal Services

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